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Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

The occupied Syrian Golan

Report of the Secretary-General

1. The present report is submitted in pursuance of General Assembly resolution 59/125 of 10 December 2004, the operative part of which reads as follows:

> *"The General Assembly,*
>
> *"...*
>
> "1. *Calls upon* Israel, the occupying Power, to comply with the relevant resolutions on the occupied Syrian Golan, in particular Security Council resolution 497 (1981), in which the Council, inter alia, decided that the Israeli decision to impose its laws, jurisdiction and administration on the occupied Syrian Golan was null and void and without international legal effect, and demanded that Israel, the occupying Power, rescind forthwith its decision;
>
> "2. *Also calls upon* Israel to desist from changing the physical character, demographic composition, institutional structure and legal status of the occupied Syrian Golan and in particular to desist from the establishment of settlements;
>
> "3. *Determines* that all legislative and administrative measures and actions taken or to be taken by Israel, the occupying Power, that purport to alter the character and legal status of the occupied Syrian Golan are null and void, constitute a flagrant violation of international law and of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, and have no legal effect;
>
> "4. *Calls upon* Israel to desist from imposing Israeli citizenship and Israeli identity cards on the Syrian citizens in the occupied Syrian Golan and from its repressive measures against the population of the occupied Syrian Golan;

* A/60/150.

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"5. *Deplores* the violations by Israel of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949;

"6. *Calls once again upon* Member States not to recognize any of the legislative or administrative measures and actions referred to above;

"7. *Requests* the Secretary-General to report to the General Assembly at its sixtieth session on the implementation of the present resolution,"

2. On 14 July 2005, the Secretary-General addressed a note verbale to the Government of Israel, in which he requested, in view of his reporting responsibilities under the above-mentioned resolution, that the Government inform him of any steps it had taken or envisaged taking concerning the implementation of the relevant provisions of the resolution.

3. No reply had been received at the time of the preparation of the present report.

4. By a note verbale dated 14 July 2005, the Secretary-General also drew the attention of Member States to paragraph 6 of General Assembly resolution 59/125.

5. Regarding the issue of human rights in the Occupied Syrian Golan, a note verbale dated 17 August 2005 was received from the Government of Lebanon, which is summarized below.

6. The Government of Lebanon restated its commitment to the values of human rights and justice emphasized in numerous United Nations resolutions. It considered the decision by Israel to impose its laws, jurisdiction and administration over the Occupied Syrian Golan null, void and without any legal effect.

7. The occupying Power, Israel, violated and refused to comply with those resolutions that would contribute to end the occupation and achieve a just and lasting peace. The continuing problem lay with the refusal by Israel to comply with international law. Lebanon, in support of Arab and international approaches to peace, called upon the Secretary-General to continue to urge the international community, especially the Quartet, to exert pressure on Israel to implement United Nations resolutions and withdraw completely from the occupied Syrian Golan and all other Arab occupied territories and to return to the 1967 borders. A just and lasting peace would then prevail in the region in accordance with international law, including Security Council resolutions 242 (1967) and 338 (1973), the Madrid Peace Conference and the Arab peace initiatives endorsed by the Arab Summit held in Beirut in 2002 with a view to establishing a sovereign, independent Palestinian State with Jerusalem as its capital and facilitating the return of Palestinian refugees to their homes.